

AMENDED IN ASSEMBLY MAY 27, 2016

AMENDED IN ASSEMBLY APRIL 12, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2900

Introduced by Committee on Jobs, Economic Development, and the Economy (Assembly Members Eduardo Garcia (Chair), Brough, Brown, Chau, Chu, Gipson, Irwin, and Mathis)

March 3, 2016

An act to add Chapter 8 (commencing with Section 7400) to Part 1 of Division 2 of the Public Contract Code, relating to economic development.

LEGISLATIVE COUNSEL'S DIGEST

AB 2900, as amended, Committee on Jobs, Economic Development, and the Economy. Small business technical assistance centers.

Existing law, the Small Business Procurement and Contract Act, requires the Director of General Services and other state agencies that enter into contracts for the provision of goods, services, and information technology and for the construction of state facilities to establish goals for the participation of small businesses in these contracts, to provide for small business preference in the award of these contracts, to give special consideration and special assistance to small businesses, and, whenever possible, to make awards to small businesses, as specified.

~~This bill~~ *bill, for contracts awarded on or after September 1, 2017, and before December 31, 2021*, would require an awarding department, as defined, to report to the Legislature by a specified date following any year that state funds are awarded to a federal small business technical assistance center, as defined. The bill would require a federal

small business technical assistance center, as a condition of receiving state funds, to report certain information to the awarding department, including, but not limited to, the *total* number of businesses assisted.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 8 (commencing with Section 7400) is added to Part 1 of Division 2 of the Public Contract Code, to read:

CHAPTER 8. SMALL BUSINESS TECHNICAL ASSISTANCE CENTERS

7400. (a) ~~Beginning on September 30, 2018, and following~~ *Following* any year that state funds are awarded by a state ~~an~~ *awarding* department to a federal small business technical assistance center, the awarding department shall provide a report to the Legislature that includes, at a minimum:

(1) The purpose of the contract and contract metrics.

(2) The amount of state funds awarded and expended during the report year.

(3) The information required by subdivision (c).

(b) The information in the report to the Legislature described in paragraph (3) of subdivision (a) shall be based on information provided by the federal small business development center pursuant to subdivision (c).

(c) As a condition of being awarded state funds, a federal small business technical assistance center shall report to the awarding department all of the following:

(1) The amount of federal funds drawn down as a result of funding through the state ~~contract~~. *contract, if any.*

(2) The *total* number of businesses assisted.

(3) ~~The industry sectors of the businesses assisted,~~ *number of businesses assisted by industry sector,* as reported by the businesses.

(4) ~~The city, county, and small business technical assistance center jurisdiction in which the businesses are located.~~ *number of businesses assisted by city and county.* If the population of the county is less than 250,000, only the name of the county is required to be reported.

1 ~~(5) The number of total employees employed by those~~
2 ~~businesses at the time those businesses were~~ *businesses* assisted
3 based on the following categories: no employees, five or less
4 ~~employees, 20 or less employees, under 50 employees, under 100~~
5 ~~employees, and under fewer employees, 25 or fewer employees,~~
6 ~~100 or fewer employees, and between 101 and 500 employees, as~~
7 reported by the businesses.

8 ~~(6) The number of jobs created, as reported by the businesses.~~

9 ~~(7) The number of jobs retained, as reported by the businesses.~~

10 ~~(6) If job creation is one of the purposes of the program, the~~
11 ~~total number of jobs created and the total number of jobs retained,~~
12 ~~as reported by the business.~~

13 ~~(8)~~

14 ~~(7) Other program outcomes related to the purpose of the~~
15 ~~program and contract metrics:~~ *measurements and metrics, as*
16 *determined by the awarding department.*

17 (d) For the purposes of this section, the following terms shall
18 have the following meanings:

19 (1) An “awarding department” means a department, board,
20 agency, or authority of the state, or an officer, agent, or other
21 authorized representative of such a state entity awarding a contract
22 for services, including technical assistance to small businesses.

23 (2) A “federal small business technical assistance center” means
24 a Small Business Development Center, a Women’s Business
25 Center, a Veteran Business Outreach Center, ~~a Service Corps of~~
26 ~~Retired Executives (SCORE) center, a Hollings Manufacturing~~
27 ~~Extension Partnership center, or a Procurement Technical~~
28 Assistance Center operating in California under a federal contract.

29 ~~(3) A “Hollings Manufacturing Extension Partnership Center”~~
30 ~~means the two California contractors recognized by the federal~~
31 ~~National Institute of Standards and Technology pursuant to the~~
32 ~~Omniibus Trade and Competitiveness Act of 1988 where small~~
33 ~~manufacturers can obtain information and assistance on new~~
34 ~~technology acceleration, supply chain management, lean~~
35 ~~processing, export development, sustainable manufacturing~~
36 ~~practices, and other issues related to innovation.~~

37 ~~(4)~~

38 (3) A “Procurement Technical Assistance Center” means the
39 entity and individual, physical location, recognized by the United
40 States Department of Defense where a small business owner can

1 receive free training on a variety of state and federal procurement
2 issues, that is operated by the Department of Defense pursuant to
3 Chapter 142 (commencing with Section 2411) of Part IV of Subtitle
4 A of Title 10 of the United States Code.

5 ~~(5) A “Service Corps of Retired Executives (SCORE) center”~~
6 ~~means the entity and individual, physical location, recognized by~~
7 ~~the federal Small Business Administration where a small business~~
8 ~~owner or an aspiring entrepreneur can receive free mentoring and~~
9 ~~attend workshops on a variety of topics including starting,~~
10 ~~operating, and expanding a small business, that is operated by the~~
11 ~~Small Business Administration pursuant to Section 637 of Title~~
12 ~~15 of the United States Code.~~

13 ~~(6)~~

14 (4) A “Small Business Development Center” means the entity
15 and individual, physical location, recognized by the federal Small
16 Business Administration where a small business owner or an
17 aspiring entrepreneur can receive free one-on-one consulting and
18 low at-cost training on a variety of topics including starting,
19 operating, and expanding a small business, that is operated by the
20 Small Business Administration and is authorized by “The Small
21 Business Development Center Act of 1980” (Public Law 96-302).

22 ~~(7)~~

23 (5) A “Veteran Business Outreach Center” means the entity and
24 individual, physical location, recognized by the federal Small
25 Business Administration where a small business veteran owner or
26 an aspiring veteran entrepreneur can receive free one-on-one
27 consulting and low at-cost training on a variety of topics including
28 starting, operating, and expanding a small business, that is operated
29 by the Small Business Administration pursuant to Section 657b
30 of Title 15 of the United States Code.

31 ~~(8)~~

32 (6) A “Women’s Business Center” means the entity and
33 individual, physical location, recognized by the federal Small
34 Business Administration where a small business owner or an
35 aspiring entrepreneur can receive free one-on-one consulting and
36 low at-cost training on a variety of topics including starting,
37 operating, and expanding a small business, that is operated by the
38 Small Business Administration and is authorized by the “Women’s
39 Business Ownership Act of 1988” (Public Law 100-533).

1 (e) The report to the Legislature, required pursuant to
2 subdivision (a), shall be submitted in compliance with Section
3 9795 of the Government Code, and shall be posted on the Internet
4 Web site of the awarding department.

5 (f) To the extent that any provision of this chapter conflicts with
6 a federal regulation or law, the provision shall be inoperable.

7 (g) As an alternative to submitting the information pursuant to
8 subdivision (e), an awarding department may include the same
9 information in another annual report of the awarding department
10 and, in doing so, the report date in subdivision (a) may be modified
11 up to three months.

12 (h) (1) *This chapter applies to contracts awarded on or after*
13 *September 1, 2017, and before December 31, 2021.*

14 ~~(h)~~

15 (2) Notwithstanding Section 10231.5 of the Government Code,
16 this chapter shall become inoperative on January 1, 2022.